

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director / (954) 797-101
Prepared by Deborah Ross, AICP, Planning Supervisor

SUBJECT: Ordinance
LA 02-1B/Comprehensive Plan Amendment
Intergovernmental Coordination Element

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA APPROVING FOR ADOPTION APPLICATION LA 02-1B AMENDING THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PAN BY AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT (ICE) AS REQUIRED BY FLORIDA STATUTE 163.3177; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

On March 6, 2002, Town Council approved for transmittal the Town's Intergovernmental Coordination Element. Subsequent to transmittal an Objections Recommendations and Comments Report (ORC) was received from the Department of Community Affairs (DCA). Based on the ORC, Policies 3-1, 3-2, 3-4, 3-5, 6-1, 6-2 and 8-3 were revised, Objective 6 was revised, and Policies 3-6 and 3-7.

As Council members are aware the Town of Davie is required, pursuant to Florida Administrative Code, Chapter 9J-11, to submit a revised Intergovernmental Coordination Element (ICE) of the Town of Davie's Comprehensive Plan to the State Department of Community Affairs. The Comprehensive Plan is the long range planning document for the Town and assists the Town in making planning decision in the following areas: Future Land Use, Transportation, Utilities, Recreation, Open Space and Conservation, Housing, and Capital Improvements. It is a coordinated general guide for the future physical economic and social development of our Town. The Plan was last updated in 1999. A full evaluation and appraisal report of the existing Comprehensive Plan is required, pursuant to State Statute, in 2005.

The Intergovernmental Coordination Element (ICE) details the various coordination mechanisms which exist between the Town, adjoining municipalities, Broward County, the region, and the State. The purpose of the ICE is to clearly identify the mechanisms of coordination between these various levels of government.

For example, the Town has a voting seat on the Metropolitan Planning Organization (MPO) held by Town Council Member Judy Paul. This organization is the regional body governing transportation issues. The Town Engineer also attends MPO meetings in a technical capacity through the Technical Coordinating Committee. The Town maintains many interlocal agreements with service providers, such as solid waste, water and sewer. In addition, staff coordinates more informal interactions through task force meetings and workshops. The matrix attached, starting on Page VI-17, list organizations who work with Town staff, the responsible Town department, and the effectiveness of the coordination mechanism. Based on the analysis of the matrix, the Town has effective existing coordination mechanisms in place.

PREVIOUS ACTIONS: The Town Council approved this Ordinance at first reading (motion carried 5-0).

CONCURRENCES: The Local Planning Agency recommended approval at its February 13, 2002 meeting (motion carried 4-0, Mr. Waitkus absent).

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject element complete and suitable for transmittal to Town Council for further consideration.

Attachments: Ordinance, Exhibit A – Intergovernmental Coordination Element

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA APPROVING FOR ADOPTION APPLICATION LA 02-1B AMENDING THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PAN BY AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT (ICE) AS REQUIRED FLORIDA STATUTE 163.3177; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town adopted the Town of Davie Comprehensive Plan on August 20, 1997; and

WHEREAS, the Department of Community of Affairs has found the Town of Davie Comprehensive Plan in compliance with the Local Government Comprehensive Planning and Land Development Regulations Act; and

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulations Act requires regular evaluations and updates of adopted comprehensive plans; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Town Council is required to hold two public hearings when considering amendments to the Town's comprehensive Plan; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, held a public hearing on February 13, 2002 and recommended approval of the proposed amendment; and

WHEREAS, the Town Council, following the public hearing, voted to transmit this ordinance at first reading in accordance with applicable state law; and

WHEREAS, the required public hearings were noticed in accordance with the requirements of the Code of the Town of Davie and Chapters 163 and 166 Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Comprehensive Plan is hereby amended and changed as shown in Exhibit "A," attached hereto and made a part hereof.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by an Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent

provision and such holding shall not affect the validity of the remaining portion of the Ordinance.

SECTION 3. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with section 163.3184, F.S.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2002

PASSED ON SECOND READING THIS _____ DAY OF _____, 2003

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPTOVED THIS _____ DAY OF _____, 2003

Intergovernmental Coordination Element: **Goals, Objectives, and Policies**

GOAL: Provide effective opportunities for intergovernmental coordination to implement the goals, objectives and policies of the eComprehensive plan relating to development and the provision of essential services in the Town.

OBJECTIVE 1: The Town shall participate in advertised, as well as informal, meetings and programs of planning groups and agencies, to maximize opportunities for coordination with the state, region, county, other municipalities, special districts, and organizations.

- 👉 Policy 1-1: A designated staff member of the Development Services Department shall attend and participate as a member of the Broward League of Cities' Technical Advisory Committee meetings, to facilitate an exchange of information and ensure that implementation of the Town's Comprehensive Plan is coordinated with the plans of adjacent municipalities, other governmental units or agencies providing service within, adjacent to, or benefiting the Town of Davie.
- 👉 Policy 1-2: ~~The Town shall a~~Advise the South Florida Regional Planning Council of any development proposals which might have an interjurisdictional impact and support the use of the Council's informal dispute resolution process to mediate any conflicts which may arise.
- 👉 Policy 1-3: Town staff shall coordinate planning efforts with the Broward County Planning Council, to ensure consistency of the Town's Future Land Use Plan with the Broward County Land Use Plan.
- 👉 Policy 1-4: ~~The Town shall pursue a permanent seat~~ Continue to serve on the Metropolitan Planning Organization through intergovernmental coordination with other western Broward County municipalities based on the Town's population exceeding 50,000, and the overall growth rate of west Broward, which should justify a reapportionment of the MPO membership makeup as a voting member of the Board and as a member of the Technical Coordinating Committee.
- 👉 Policy 1-5: Continue coordination with the Broward County Housing Authority in the implementation of the Section 8 Program, as identified in the Town's Consolidated Plan.
- 👉 Policy 1-6: Maintain cooperation with the US Department of Housing and Urban Development (HUD) in the administration of the CDBG program and/or other beneficial programs referenced in the Town's adopted Consolidated Plan.

- 👉 Policy 1-7: The Town shall continue to use the State Housing Initiatives Partnership (SHIP) allocation to expand or preserve the existing housing stock and to create new affordable housing opportunities through financing for construction, home purchase loans, counseling, minor home repair/weatherization, land acquisition, and housing for people with special needs as identified in the Town's adopted Local Housing Assistance Program (LHAP).

OBJECTIVE 2: The Town shall coordinate planning activities with adjacent municipalities and, for the unincorporated area, Broward County through existing mechanisms.

- 👉 Policy 2-1: ~~The Town shall n~~otify adjacent jurisdictions in the event a proposed change in land use designation or zoning category affects property that may have an impact on that jurisdiction.
- 👉 Policy 2-2: Coordinate with Broward County's Mass Transit Division in improving regular bus service and minibus service throughout the Town.
- 👉 Policy 2-3: The Town shall continue its informal exchange of information with the Seminole Indian Reservation adjacent to the Town's eastern border.
- 👉 Policy 2-24: Utilize the informal mediation process with the South Florida Regional Planning Council to resolve conflicts with other local governments.

OBJECTIVE 3: The Town shall continue to coordinate planning and development activities with agencies and other units of local government providing essential services to the Town and which do not have regulatory authority over land use, to ensure coordination in ~~facilitating~~ the provision of essential services pursuant to the adopted level of service standards.

- 👉 Policy 3-1: ~~The Town shall n~~otify affected service providers providing services within the corporate limits of the Town of proposed annexations, changes in land use, and/or changes in zoning and/or development phasing, and request they to assess the proposed change in impact and advise as to service availability.
- ~~👉 Policy 3-2: The Town shall coordinate with Broward County in the annexation of land currently within the unincorporated area.~~

- 👉 Policy 4-63-2: ~~The Town shall e~~Continue to interact coordinate with the Broward County School Board District in the provision of essential services and facilities. Specifically, the Town and Broward County shall work together to maintain a unified data base that will include population projections, school boundary changes, land use, and public facility capacities. This unified data base will help to ensure the proper siting of new schools and the collocation of public facilities, such as parks and community centers.

- 👉 Policy 3-3: Coordinate, at the staff level, with the Broward County School District on any development applications which may affect the safety of public school students, enhance public education or alter the Town's existing or anticipated future needs for public school facilities.
- 👉 Policy 3-4: The Development Services Department shall, pursuant to the Broward County Administrative Code, continue to provide quarterly demolition reports to the County for use in preparation of population estimates and projections to be used in transportation, School District and other countywide planning activities.
- 👉 Policy 3-5: The Town shall establish a staff-level Educational Committee that will coordinate with the Broward County School District, as may be necessary, to facilitate expansion of existing or location of additional public school facilities within the Town of Davie, consistent with the policies of the Future Land Use Element of the Comprehensive Plan.
- 👉 Policy 3-6: The Town shall inform the Broward County School District of any proposed changes to the Town's Comprehensive Plan.
- 👉 Policy 3-7: The Town shall, to the best of their ability and as permitted by the Town's Land Development Regulations, streamline the development review and permitting process for new schools. The Town shall also review education facility projects for onsite and offsite impacts and work cooperatively with the Broward County School District to mitigate these impacts.

OBJECTIVE 4: The Town shall promote intergovernmental coordination in multijurisdictional efforts involving all governmental and quasi-governmental entities in Broward County.

- 👉 Policy 4-1: ~~The Town shall i~~Invite the participation of other cities, County, State, and Federal agencies in the planning of pedestrian linkages and open spaces to maximize existing resources, including the programming and placement of recreational pathways that link jurisdictions.
- 👉 Policy 4-2: ~~The Town shall continue to p~~Promote coordination with Broward County, ~~the EPA, FDER DEP,~~ and other regulatory agencies having jurisdiction over the Broward Landfill site in the clean up, rehabilitation and reuse of the now-closed facility.
- 👉 Policy 4-3: Through Interlocal Agreement, the Town shall coordinate efforts with Broward County in promoting and implementing recycling efforts as mandated by the Solid Waste Management Act of 1988. The Town shall attend and participate in the Broward County Resource Recovery Technical Advisory Committee meetings.
- 👉 Policy 4-4: The Town shall continue to participate in effective mutual aid agreements for the provision of emergency services and other special purpose task

forces to address multijurisdictional police, fire, and emergency medical service issues.

~~☞ Policy 4-5: The Town shall continue to coordinate with Broward County in the implementation of the Interlocal Agreement regarding Traffic Engineering Services.~~

~~☞ Policy 4-6: The Town shall continue to interact with the Broward County School Board in the provision of essential services and facilities.~~

☞ Policy 4-5: Work with Broward County as necessary to comply with the requirements of Broward County Joint Municipal National Pollutant Discharge Elimination System (NPDES) Permit.

☞ Policy 4-6: Review public facility reports prepared according to state law and identify potential conflicts with the Town's adopted Comprehensive Plan. Any conflicts shall be resolved through informal coordination with the governing boards of the independent special districts.

☞ Policy 4-7: The Town shall request an opportunity to review comprehensive plan amendments proposed by adjacent municipalities (Sunrise, Hollywood, Cooper City, Weston, Pembroke Pines, Plantation, Southwest Ranches) in order to identify potential impacts to or conflicts with (1) existing or future development within the Town or (2) the ability of the Town to successfully implement the Goals, Objectives and Policies of the Comprehensive Plan. Upon identification of impacts or conflicts as a result of said review, the Town shall provide written comments to the respective municipality in order to address or resolve the identified impacts or conflicts.

OBJECTIVE 5: The Town shall work with adjacent municipalities and Broward County in the identification and implementation of joint planning areas (JPAs) for annexation and infrastructure service areas.

☞ Policy 5-1: The Town shall coordinate with Broward County in the annexation of land currently within the unincorporated area.

☞ Policy 5-2: Pursue and support the establishment of JPAs with adjacent municipalities, Broward County and agencies or other governmental units that provide facilities and services, including but not limited to the maintenance of roadway, drainage, public schools, solid waste and park and recreation facilities, in order to enhance, improve or increase the efficiency with which these facilities are currently provided.

☞ Policy 5-3: JPAs described in Policy 5-2 shall be established, as necessary, through formal agreements between the appropriate governmental bodies in order to address intergovernmental coordination activities related to population projections as well as Policies 8-6 and 8-7 relating to locally unwanted land uses. JPAs shall include but not be limited to as many of the

following planning considerations as possible:

- ② Cooperative planning and review of land development activities within the areas covered by an agreement.
- ② Specification of service delivery.
- ② Funding and cost sharing issues.
- ② Enforcement/implementation.

OBJECTIVE 6: The Town shall coordinate with local and private universities, as well as the State University System, in the campus plan process.

- 👉 Policy 6-1: Work with Broward Community College, Nova Southeastern University, and Florida Atlantic University to ensure that the campus plans are consistent with the Town's Comprehensive Plan.
- 👉 Policy 6-2: Coordinate with Broward Community College, Nova Southeastern University, and Florida Atlantic University to mitigate any adverse effects the universities may have on adjacent uses.

OBJECTIVE 7: The Town shall use voluntary dispute resolution processes to resolve conflicts with other local governments.

- 👉 Policy 7-1: Utilize the South Florida Regional Planning Council's dispute resolution process when necessary to mediate the resolution of conflicts with other local governments and regional agencies. The Town may use alternative procedures whenever appropriate for matters of imminent dispute, including agreements authorized by state law, or other non-judicial approaches.

OBJECTIVE 8: The Town will identify and establish joint processes with other local governments for collaborative planning on population projections, school siting, facilities subject to concurrency, facilities with countywide significance, and problematic land uses.

- 👉 Policy 8-1: Provide information annually to Broward County relating to the location and timing of anticipated capital improvement projects contained within the Town's adopted five year schedule of capital improvements for the purpose of achieving a coordination of efforts relating to the maintenance and/or extension of existing and location of new public facilities subject to concurrency.
- 👉 Policy 8-2: During review of the Town's five year schedule of capital improvements, the Town will consider the schedules of adjacent municipalities and other providers of public facilities within, adjacent to, or benefiting the Town in order to identify the potential for a coordination of efforts relating to the maintenance and extension of existing public facilities, as well as the

location of new public facilities subject to concurrency.

- 👉 Policy 8-3: Pursue joint funding opportunities with SFWMD, FDEP, Broward County, FDOT, and other relevant public/private agencies having jurisdiction within the corporate limits of the Town, to establish joint processes and collaborative planning efforts, when feasible, to complete capital improvements. The Town shall meet annually, or more frequently if needed, with these public and private entities to discuss joint funding opportunities for capital improvements.
- 👉 Policy 8-4 The Town will consider amendment of its Comprehensive Plan and land development regulations based upon the recommendations contained within the adopted Broward County Local Mitigation Strategy.
- 👉 Policy 8-5: Attend meetings of the Hazard Mitigation Task Force, as necessary, to coordinate with the implementation and update of local mitigation strategies.
- 👉 Policy 8-6: Coordinate with the Broward County Planning Council, the South Florida Regional Planning Council, the League of Cities Technical Advisory Committee, appropriate agencies, or ad hoc committees in the development, review and recommendation of efficient countywide guidelines to govern the identification and location of facilities with countywide significance, including those which may be locally unwanted land uses.
- 👉 Policy 8-7: Upon establishment of uniform countywide guidelines for the identification and location of facilities with countywide significance, pursuant to Policy 8-6, the Town will conduct a review of its location standards to determine:
 - ② whether conflicts exist between the Town's regulations and the regulations of other jurisdictions,
 - ② what can be done to resolve any conflicts identified, and
 - ② any improvements in the effectiveness or efficiency to be gained through the countywide approach to location standards.

Intergovernmental Coordination Element:

Monitoring and Evaluation

Objectives 1 and 4 shall be evaluated as to the number of meetings attended and the maintenance of agendas, minutes, and backup materials for all meetings, shall be accomplished. Objective 2 can be measured by the number of notices sent to adjacent/affected jurisdictions, as well as the jurisdictions' participation in the Town's planning activities. The evaluation procedure for Objective 3 is the monitoring of adopted levels of service, to ensure compliance with standards set forth in the Comprehensive Plan. The evaluation procedure for Objective 5 shall be based on the number of joint planning areas considered, as well as those established on an as needed basis. Objective 6 shall be evaluated by the number of contacts with Broward Community College, Nova University, and Florida Atlantic University regarding campus growth and impact issues. Objective 7 shall be evaluated as to the number of times SFRPC is considered and utilized, if needed, for dispute resolution, as well by counting the number of agreements entered into pursuant to state statutes. The evaluation procedure for Objective 8 shall be based on the number and effectiveness of joint processes the Town establishes with other governments units, agencies, or special districts to address population projections, school siting, facilities subject to concurrency, facilities with countywide significance, and locally unwanted land uses.